

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

MICHAEL PAUL STEVENS,

Plaintiff,

v.

OPINION AND ORDER

MARTEN TRANSPORT, LTD.,

Defendant.

14-cv-107-wmc

Plaintiff Michael Paul Stevens filed this *pro se* civil action, alleging that he was wrongfully discharged from his employment by the defendant, Marten Transport, Ltd., due to a medical condition, namely, sleep apnea. Noting that the complaint contains no other factual support, the defendant has filed a motion to dismiss the complaint pursuant to Fed. R. Civ. P. 12(b)(6), arguing that plaintiff has failed to allege sufficient facts to state a claim upon which relief may be granted. Plaintiff has neither filed a response nor requested an extension of time and his deadline to do so has expired.

By failing to respond to the defendant's motion, plaintiff appears to have abandoned his complaint. Accordingly, under the inherent power necessarily vested in a court to manage its own docket, the complaint will be dismissed without prejudice for want of prosecution. *See* Fed. R. Civ. P. 41(b); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 630-31 (1962); *Ohio River Co. v. Carrillo*, 754 F.2d 236, 238 n.5 (7th Cir. 1984).

ORDER

IT IS ORDERED that the complaint filed by plaintiff Michael Paul Stevens is DISMISSED pursuant to Fed. R. Civ. P. 41(b) for want of prosecution. Relief from this order may be granted upon a showing of good cause.

Entered this 28th day of July, 2014.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge